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The violence of theoretical abstraction: two problems with reductive individualism as a moral philosophical approach to international war

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Abstract

This essay discusses revisionist just war theory's most prominent theoretical approach – reductive individualism. It carves out both reductivism's and individualism's distinct normative core. On this basis, it presents two arguments. (I) With individual moral liability, reductivism provides a criterion for assessing who can be permissibly killed in war, which it borrows from the morality of peace. Individualism puts the human in the center of moral concern. War being organized mass killing, an individual soldier's moral liability is indeterminable, pushing for the abstraction of individual of moral statuses and undermining individualism. (II) Reductivism claims that the moral rules governing individual self-defense in ordinary life are directly applied to individual interactions in war. However, it adjusts for the asymmetry between individual aggressor and defender in war to capture the moral status of the collective belligerent party. Reductive individualists are no real individualists and no real reductivists.

Keywords: ethics of war; just war theory; justified
killing; self-defense

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‘War, the ordinary man’s most convenient means of escaping from the ordinary.’

Philip Caputo, *A Rumor of War* (New York: Henry Holt and Company, 1977), 6.

I. Revisionist Just War Theories: Reductivism and Individualism

Revisionist just war theorists reject either one or both pillars of the law of war: some deny that national defense can justify war,² whereas others deny that the same rules apply to combatants of both belligerent parties. The second group defends a ‘moral asymmetry of combatants’:³ ‘just combatants’ who fight for the state whose war has a just cause, generally,⁴ retain their right not to be killed by their unjust opponents, but are entitled to kill them. Their unjust combatant enemies, in turn, generally,⁵ lose their right not to be killed, and are themselves not allowed to kill the just combatants.⁶ The paper focuses on the second group of revisionist arguments and refers to its representatives as ‘revisionists’.

Revisionists offer different arguments for the moral asymmetry between just and unjust combatants. Hence, assigning a consensus view to them would be mistaken. Nevertheless, many revisionists insist on a particular theoretical approach: a combination of reductivism and individualism.⁷

Earlier traditionalist approaches had mainly regarded war as collective state action.⁸ Revisionists, however, break down war as collective action to individual combatant interactions, and put the individual in the center of moral concern. Hence, an individual’s actions, interactions, agency and responsibility matter for deciding about the permissibility of her actions. In an international war,⁹ the focus lies on the individual ‘soldier’ or ‘combatant’.¹⁰ This approach is called *individualism*.

Many individualist revisionists are also devoted to a further theoretical particularity: they claim that an individual’s actions and interactions in war are to be judged by moral principles that govern an individual’s violent actions and interactions *outside* of war. In ordinary life, individual violence is, if ever, morally permissible if performed with a self-defensive aim.¹¹ For revisionists, the rules governing individual self-defense in ordinary life, hence, also govern an individual combatant’s violent actions and interactions in war. This approach is called *reductivism*: war is no moral exception where special moral rules apply. The moral rules in war are continuous with the moral rules of ordinary life. For reductivists war is, *also*, ordinary life.¹²

Revisionist theories start with rights. A person has a right to life, which protects her interest in living. However, this protection can be lost. If the person poses an unjust threat for which she is sufficiently responsible, e.g. if she attacks another person who has not lost her right to life, the latter is entitled to ward off the former’s attack in self-defense. If killing the attacker is a necessary and proportionate means to do so, the attacker loses her right not to be killed by the defender.¹³ The attacker, thereby, becomes *liable* to be killed by the defender, and killing her does not infringe her right to life – it does not wrong her. A person who is not liable – the

²David Rodin, *War and Self-Defense* (Oxford: Clarendon Press, 2002).

³In opposition to the traditional ‘moral equality of combatants’, see especially Michael Walzer, *Just and Unjust Wars, A Moral Argument With Historical Illustrations*, fourth edition (New York: Basic Books, 2006).

⁴See chapter II.I. for the distinction between actual and presumed loss of rights.

⁵Ibid.

⁶See especially Jeff McMahan, ‘The Ethics of Killing in war’, *Ethics* 114 (2004): 693–733; Jeff McMahan, ‘The Moral Equality of Combatants’, *Journal of Political Philosophy* 14, no. 4 (2006): 377–393, 379; Jeff McMahan, *Killing in War*, (Oxford: Clarendon Press, 2009); David Rodin, ‘The Moral Inequality of Soldiers: Why jus in bello Asymmetry is Half Right’ in *Just and Unjust Warriors, the moral and legal status of soldiers*, eds. David Rodin and Henry Shue (Oxford: Oxford University Press, 2008), 44–66; Helen Frowe, *Defensive Killing* (Oxford: Oxford University Press, 2014); Cécile Fabre, *Cosmopolitan War* (Oxford: Oxford University Press, 2012); Adil Haque, *Law and Morality at War* (Oxford: Oxford University Press, 2017).

⁷Reductivism and individualism are sometimes subsumed under the term ‘reductive individualism’, see e.g. Haque, *Law and Morality at War*, 9. However, reductivism and individualism are distinct, as Frowe (implicitly) highlights, Frowe, *Defensive Killing*, 13, 123.

⁸See especially, Walzer, *Just and Unjust Wars*. Other collectivists are Christopher Kutz, ‘The Difference Uniforms Make: Collective Violence in Criminal Law and War’ *Philosophy and Public Affairs* 33, no. 2 (2005): 148–180; and Noam Zohar, ‘Collective War and Individualistic Ethics: Against the Conscripton of ‘Self-Defense’ *Political Theory* 21, no. 4 (1993): 606–622.

⁹The article addresses international war as opposed to non-international, e.g. civil, war.

¹⁰The terms will be used interchangeably in the paper at hand. Note, however, that ‘combatant’ is a legal term and refers to a soldier in an international armed conflict. During peace-time, the correct linguistic expression is ‘soldier’.

¹¹And, also, other-defensive aims. However, an elaboration on other-defense is unnecessary for the paper’s argument.

¹²Reductivism is currently the most influential approach of revisionist just war theory, Seth Lazar, ‘War’s Endings and the Structure of Just War Theory’ in *The Ethics of War*, eds. Saba Bazargan-Forward and Samuel C. Rickless (New York: Oxford University Press, 2017): 227–242, 232.

¹³Conditions of permissible self-defense are important and much debated, yet to elaborate further on them is not necessary for this paper’s main argument. For a great discussion, see e.g. Christian Coons and Michael Webber eds., *The Ethics of Self-Defense*, Oxford: (Oxford University Press, 2016.)

defender in the above example – is often called ‘innocent.’ Individual self-defense is, hence, characterized by a moral asymmetry between (at least) two individuals, in a certain situation, under certain circumstances.

A theory of liability entails that a person’s behavior, and her responsibility for this behavior, affect whether she can be permissibly killed. If she behaves in a way that makes her pose an unjust threat, and is herself responsible for this behavior, she is liable. Hence, it is incumbent upon the individual person whether or not she can be permissibly killed.^{14 15}

Individual moral liability is the criterion that decides whether a person can be permissibly killed in self-defense in ordinary life, and – for reductivists – also in war. Put differently, the criterion of moral liability connects the morality of war with the morality of peace.

Being individualist, revisionist just war theories do not locate the responsibility for an unjust war on the analytical level of the state, because, in war, the state *just is* its fighting soldiers. Hence, the individual combatant, not her state, is responsible for an unjust war. A combatant fighting in an unjust war is responsible for the unjust threats through being part of the unjust belligerent party. This makes her liable to defensive lethal harm by her opponents. She is called an *unjust* combatant. Her enemies are the just defenders against the unjust aggression conducted by the former. Just combatants are not posing unjust threats. They are not liable to lethal harm by the unjust combatants.

II. Porous individualism

II.I. The problem of measuring liability

As a matter of fact, international war *is* a highly organized collective action: groups of combatants, organized in squads or platoons, pursue military operational objectives. War is assault on a massive, and not on an individual, scale.

Furthermore, war is a nebulous environment, where combatants decide under partial ignorance and high time pressure. Combatants are also under tremendous psychological and emotional strain due to fear of death, and act driven by both a survival instinct and by internalized combat response mechanisms. Deliberate decisions are often replaced by both snap judgments and individual battle mechanisms, internalized by military training.¹⁶

It is, therefore, difficult to zoom in the objective moral telescope on the individual combatant within a fighting group. War is an activity where death is not allocated as individually and discriminatingly as the reductive individualist approach may assume. In war, individual responsibility for an unjust threat, i.e. individual moral liability to lethal harm, is not measurable.

This seems to be the reason why many revisionist authors distinguish between *actual* individual liability and *presumed* individual liability,¹⁷ or between *objective* permissibility and *subjective* permissibility.¹⁸ Some authors focus only on purely objective moral theory and deliberately exclude a discussion of the difficulty of its application.¹⁹ Actual liability cannot be measured, precisely because war is what it is: a sort of highly organized, yet likewise chaotic, mass killing.²⁰

Since actual liability cannot be measured, moral rules defended by reductivists must be based on *presumptions*.²¹ Or else, it is said that combatants have reasons to *believe* certain facts about the enemy that they have

¹⁴Authors’ opinions diverge with regards the level of responsibility necessary for liability, and whether an individual must directly pose, indirectly pose, jointly with others pose, contribute to, individually enable or jointly enable an unjust threat, see chapter III.

¹⁵Liability is one justification for harming someone. There exist others: a person can consent to be harmed, or harming her could constitute the lesser evil than not harming her.

¹⁶(...) (The military) requires immediate decision and prompt action, not thorough analysis and extensive debate; it relies on training, simplification and predictable behavior, not education, sophistication, and empiricism.’, Lieutenant General Robert Gard, quoted in Richard Gabriel, *To serve with honor: A treatise on military ethics and the way of the soldier* (Wesport, Connecticut: Greenwood Press, 1982): 89; see also, Klaus Theweleit, *Männerphantasien* (Frankfurt am Main: Verlag Roter Stern, 1976). Note that Theweleit’s study is based on field reports of military officials of the Third Reich and their experiences in cadet schools. However, physical training rationales are, arguably, still very similar, see e.g. Joseph Knapik, William Rieger, Frank Palkoska, Steven Can Camp and Salima Darakjy, ‘United States Army Physical Readiness Training: Rationale and Evaluation of the Physical Training Doctrine,’ *Journal of Strength and Conditioning Research* 23, no. 4: 1353–1362. See also Shannon E. French, Victoria Sisk, and Caroline Bass, ‘Drones, Honor, and Fragmented Sovereignty: The Impact of New and Emerging Technology on the Warrior’s Code,’ in *The Ethics of War and Peace Revisited*, eds. Daniel R. Brunstetter and Jean-Vincent Holeindre (Washington: Georgetown University Press, 2018): 201–220; Jonathan Shay, *Achilles in Vietnam: Combat Trauma and the Undoing of Character* (New York: Atheneum, 1994); and McMahan, *Killing in War*, 119.

¹⁷McMahan, *Killing in War*.

¹⁸Haque, *Law and Morality at War*.

¹⁹Seth Lazar, *Sparing Civilian* (Oxford: Oxford University Press, 2016). Note, however, that Lazar is not a revisionist. However, he aptly pointed at the distinction between objective moral theory, which he develops in his book, and the problems of applying it, which he excludes, Lazar, *Sparing Civilian*, 10.

²⁰As Lazar poignantly wrote, ‘(...) (w)e are *unable* to intentionally kill only the liable, and we know this from the outset.’, Lazar, *Sparing Civilian*, 10, italics added.

²¹McMahan, *Killing in War*, 187–188.

neither time nor options to verify, which then renders their acts epistemically, or subjectively, permissible.²²

The impossibility of measuring individual liability may also be the reason why reductive individualists still have a strong commitment to treat combatants collectively rather than individually. Generally, all soldiers who fight for an unjust war are considered unjust combatants and liable, whereas those fighting on the just side are considered exempt from liability. This dichotomy of just and unjust combatants is still the powerful revisionist label.²³

War's characteristics make it impossible to measure individual moral liability. What is not measurable, is not an applicable criterion. This pushes us to the verdict that, for a philosophical analysis of war, reductivism and individualism are mutually exclusive. Individualism claims that the individual is the proper focus of moral concern. Reductivism claims that the moral rules governing violence in ordinary life, and the criterion of individual liability as the basis of those rules, apply in war. However, in war, individual liability is not measurable. Yet, individualism would require that the criterion that decides whether an individual can be permissibly killed *is* measurable. If the human is of moral concern, we owe it to her that what informs our recommendations for when killing her is permissible is grounded in measurable facts and applicable criteria. If the human is of moral concern, we owe it to her that she is not lost in an aggregated presumption, or in the presumed reasonableness of beliefs about her moral status. If the human is of moral concern, her individuality must not be aggregated in an abstract rule about two presumptively homogenous groups. Any abstraction levels out distinctions. Therein lies the violence of abstraction. This is the reason why revisionist theories are suitable to justify some wars. War as violence on the most massive scale *is* factual abstraction of the individual. And revisionist just war theory is one of its theoretical counterparts. There is space for the individual in neither.

The individual moral, or legal, responsibility for an unjust threat is difficult to measure also outside of war. Consider law enforcement procedures and requirements: a police officer's job is to take a suspect into custody, not to deal out the death penalty.²⁴ Outside of war, responsibility and criminal 'liability'²⁵ must be properly established. A suspect is carried before an investigating judge. Evidence is accumulated and weighed – a time-consuming process requiring expertise. Those procedures are grounded in an individual's human right to fair trial and due process. Her being human requires that her guilt or innocence is properly established. This needs time and a proper authority. War is such that both are lacking: decisions are not always deliberated, but replaced either by internalized response mechanisms due to the existential pressure of combat exposure, or by behavior that is unreflected because strictly commanded.²⁶ Fear, physical and psychological overload fog a combatant's reflective capacity.²⁷ An individual in such shape is an improper authority to decide about the distinct moral status of an adversary. Reductive individualism is a proper theoretical approach to policing, where 'liability' may be measurable and applicable.²⁸ But it seems unfitting for war.

II.II. The problem of determining the injustice of the collective threat

For reductive individualists, combatants fighting in an unjust war are morally responsible for their war's unjust aim, and liable to defensive killing by their just combatant enemies.²⁹ Hence, what matters for revisionists' recommendations for when killing a combatant is permissible does not only depend on the combatant's relationship with the collective, but also on whether this collective poses an unjust threat through a war that has an unjust aim.

When does a war have an unjust aim? Even just war theorists that agree on the main outlines of criteria that make up a just cause for war disagree about the theory's implications for particular wars.³⁰ Some experts argue that some wars are, actually, unjust on both or all sides,³¹ or that wars are fought for 'mixed motives' from

²²Haque, *Law and Morality at War*, 89.

²³Lazar, 'War's Endings and the Structure of Just War Theory', 232.

²⁴I am thankful for Jennifer Page for helping me opening my eyes to this distinction.

²⁵Note, however, that, in legal parlance, a criminal defendant is not 'liable', he is 'guilty' or 'not guilty', see e.g. Michelle Dempsey, 'Against Liability: A Reason-Based Account of Self-Defense', in *The Ethics of Self-Defense*, eds. Christian Coons and Michael Webber (Oxford: Oxford University Press, 2016).

²⁶On how military training undermines combatants' reflective moral agency, see Jessica Wolfendale, *Torture and the Military Profession* (New York: Palgrave MacMillan, 2017).

²⁷Maybe military training undermines the capacity for reflective moral agency of a soldier altogether, *ibid*.

²⁸To my knowledge, Cécile Fabre's recent chapter in the SAGE Handbook of Global Policing is the only existing revisionist treatment of policing, Cécile Fabre, 'War, Policing, and Killing', in *The SAGE Handbook of Global Policing*, eds. Ben Bradford, Beatrice Jauregui, Ian Loader and Jonny Steinberg, (London: SAGE Publications, 2016) 261–78.

²⁹If epistemic constraints excuse unjust combatants and to what degree is debated. However, whether or not combatants have the means to decipher and evaluate their state official's communiques about the justness of a prospective war is not informative for the argumentative point aimed to be made here.

³⁰McMahan, *Killing in War*, 121.

³¹*Ibid*.

the outset,³² and that initial aims, whether just or unjust, can be replaced by morally opposite aims during the course of the war,³³ or else that wars can have unjust aims instrumental for the achievement of a just aim.³⁴ Hence, there exist tremendous hindrances for grounding a claim of a clear moral asymmetry between belligerent collectives.

Besides the fact that governments may often belie unjust aims of a prospective war,³⁵ whether a particular war is just or unjust cannot be theoretically determined and underpinned. Revisionists bypass the impossibility of measuring individual moral liability in war through an abstraction. Regarding the impossibility of determining the justice of a war, yet, revisionists seem less disturbed: the moral status of the collective, or the justice of a war, however indeterminable, is still the main structuring feature of revisionist theories: collectives are grouped on the basis of the criteria 'just' and 'unjust'.

Hence, not only individual moral liability is not measurable in war. Whether the collective threat is just or unjust, which influences individual moral liability, is equally indeterminable. Again, if the individual human is of moral concern, we owe it to her that what our recommendations for when killing her is permissible rest on, is determinable.

III. Porous reductivism

Reductivism claims that moral principles governing self-defense in ordinary life are not used as mere analogies for war. Rather, they *directly apply* in war.³⁶ Hence, it is not so that the moral status of an individual attacker in ordinary life is, first, applied to the attacking state, whose soldiers, in a second step, derive their individual moral status from their state's. For reductivists, a person can only forfeit her right not to be killed on the basis of something that *she* has done as a moral subject³⁷ – like in a situation of an individual situational attack and defense in ordinary life. This is why reductivism rules out that an individual combatant's moral status is copied from her state's. Her own moral status matters.

As a matter of fact, war is *not* the mutual attacking of all unjust combatants, and the mutual defense of all just combatants.³⁸ Individual combatants alternate between roles of situational individual aggressors and defenders. Unjust combatants are not always the attackers, and just combatants are not always the defenders.

Hence, if an unjust combatant is liable to lethal harm because she is responsible for an unjust threat, the threat that influences her liability cannot be the threat she individually poses on the battlefield. For, sometimes she may defend herself against a situational individual attack by a just opponent. In such a situation, she could not be responsible for a situational unjust threat, because she did not pose one at all.

Therefore, the grounds for a combatant's moral status and liability is not the threat she individually poses in a specific combat situation. If it were, a combatant's moral status for the 'overall war' could not be established, for it would depend on her position as either situational attacker or defender and be subject to constant change.

It follows that the threat that determines liability must be the threat that the unjust side collectively poses through its state's aggression. The concept of 'unjust threat' seems to be actualized by the actual fighting of all individual unjust combatants. It is not 'filled' by individual factual on-the-ground-threats, but by the collective of unjust combatants that make up the attacking belligerent party. Hence, the individual's moral status is highly dependent on her membership in a collective.

Put, again, differently, the unjust combatants' responsibility that informs liability is not their responsibility for a situational threat, but their responsibility for the threat the belligerent collective they fight for poses. This is why revisionist authors must and do elaborate on the unjust combatants' *relationship with* and her *position within* the collective, and accord substantive weight to those relationships. Those relationships are described in terms of, what I shall call here, *the moral influence* of an unjust combatant's actions and omissions on the overall unjust threat. The question of moral influence is: what degree of responsibility for an unjust threat is required for an unjust combatant to become liable to lethal harm by his just opponents? E.g., for a threat an unjust combatant directly poses, she bears a high degree of moral responsibility. However, her degree of

³²Cécile Fanre, 'Guns, Food, and Liability to Attack in War,' *Ethics* 120, no. 1: 36–63, 57; Lazar, *Sparing Civilians*, 130; Larry May, *Contingent Pacifism* (Cambridge: Cambridge University Press, 2015), 8.

³³Saba Bazargan-Forward, 'Complicitous Liability in War,' *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* 165, no. 1 (2013): 177–195, 15; Lazar, *Sparing Civilians*, 13.

³⁴McMahan, *Killing in War*, 213; McMahan further argues that, if the achievement of the unjust aim is unnecessary for the achievement of the just aim, then the overall war aim is unjust.

³⁵See e.g. Anna Morelli, *Principes élémentaires de propagande de guerre*, (E. Labor: Bruxelles, 2001) on principles involved in war propaganda.

³⁶Frowe, *Defensive Killing*, 15.

³⁷This is also captured by Thomas Nagel's idea that any hostile action [...] should manifest an attitude to him (the person it is addressed to) rather than just to the situation, and he should be able to recognize it and identify himself as its object [...], Thomas Nagel, 'War and Massacre,' *Philosophy and Public Affairs* 1, no. 2 (1972): 123–144, 136.

³⁸Rodin, *War and Self-Defense*, 64.

responsibility may be lower when she merely contributes to a threat, and even lower when she acts as a mere enabler. Further, her threat may also depend on the weight of her contribution, or on her causal proximity to the threat.³⁹

This revisionist concept of ‘posing an unjust threat’ attaches great weight on the individual’s moral influence on the overall unjust threat. By that, the concept is detached from the individual situational position in combat. Thereby, the rules governing *individual* self-defense in ordinary life are *stretched* to encompass the individual unjust combatant *and* the *collective* threat. Hence, the relationship that is most informative for this concept of ‘self’-defense is not the one between the situational attacker and defender, but the relationship between the individual unjust combatant and the collective unjust threat she relates to. This why individual liability is so fervently discussed within revisionism: what content to add to liability in order for individuals on the unjust side to be reasonably connected to the collective unjust threat, and to make statements about the permissibility of killing the *collective* of unjust combatants also *reasonable*?

We are pushed to the verdict that revisionism, though claiming to do so, does not directly apply self-defense criteria to war. However, self-defense is not used as a mere analogy – applied to the state – either, because reductive individualism *does* insist on each combatant’s *individual* responsibility for the collective unjust threat. Still, it is not directly applied on the individual in war, as the threat is not an individual, situational, but a collective one: An individual’s moral status does not depend on her relationship to an individual opponent on the battlefield, but on her relationship to the collective threat. Consequently, revisionist just war theories do not directly apply moral rules of ordinary life to war, but indirectly. This requires a ‘stretching’ of the moral concept and rules of individual self-defense in order for the *individual* status to depend on the *collective* unjust threat. This may render the revisionist claim of a continuity of moral rules between ordinary life and war false.

IV. Concluding remarks: the violence of theoretical abstraction

For revisionists, everything starts with an individual’s right to life, which can be lost through certain behavior. Yet, it ends with an abstraction from that very individual, and with a presumption of a collective loss of rights of unjust combatants. This is no surprise, as it is a theory of war, an activity so greatly against the individual – and to life. A commitment to individualism cannot belie this fact, and must necessarily be undermined by a theory that aims to justify some wars. This also explains, and underscores, the impossibility of directly applying the concept of individual self-defense to war. War disregards the individual to the highest degree and cannot be judged by rules borrowed from the space of peace where the individual, as an individual, arguably, still counts.⁴⁰

For no other aspect of human existence does theoretical abstraction seem to be more violent than for war. Philosophical inquiries are, arguably, anodyne. Soldiers’ experiences in war may never be made comprehensible and understandable by a scholar who was never tested in battle.⁴¹ And, especially in those parts of the planet where academic work prospers, war is, at present and luckily, not a common experiential moment that we happen to live through regularly – if at all. Hence, there exists an *a priori* trench between the object of moral analysis and those who ‘morally analyze’. Whether and how to delineate the space in which scholars can make *reasonable* theoretical presumptions about war is an unruly and under-researched question. For now, it suffices to say that its answer may be of significant moral quality and effect.

³⁹Different authors defend different perspectives on an unjust combatants position within and relationship with the collective: E.g., for Frowe, minor contributions to an unjust threat may be sufficient to ground liability to defensive lethal harm, Frowe, *Defensive Killing*; McMahan claims that one must not individually pose an unjust threat, i.e. only be minimally responsible, which can also be called agent-responsibility, McMahan, *Killing in War*, 34, 197, 227; according to Haque, one may become liable to defensive lethal harm if one directly, indirectly, or jointly with others pose an unjust threat, being a mere enabler, however, is insufficient for liability, Haque, *Law and Morality at War*, 63–66; Bazargan-Forward defends the view that ineffective unjust combatants are liable due to their complicity with the unjust threat posed by the armed forces they are members of, Bazargan-Forward, ‘Complicitous Liability in War’. Depending on what degree of responsibility is required for liability to lethal attack, more or fewer combatants – and also civilians, see Frowe, *Defensive Killing* – are liable to lethal harm. A discussion of the particularities of and distinctions within the debate about degrees of responsibility are, however, unnecessary for this paper’s main argumentative points.

⁴⁰This observation strongly abstracts from contemporary human rights abuses around the world. However, state organized mass violence is no underlying organizing principle of general societal coexistence.

⁴¹Socrates, Marcus Aurelius, Carl von Clausewitz, René Descartes, Ludwig Wittgenstein, or John Rawls are well-known war-experienced thinkers.

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